

**REMARKS**

**STATUS OF CLAIMS**

Claims 1-37 are pending.

Claims 1-5 and 34-37 are rejected under 35 USC 103(a) as being unpatentable over Shima (US pub. no. 2002/4802).

Claims 6, 15-16, and 28-33 are rejected under 35 USC 103(a) as being unpatentable over Shima in view of Szlam (US Patent No. 6,359,892).

Claims 5, 29, 31 and 33 are rejected under 35 USC 102(e) as being anticipated by Szlam.

Claims 11, 18-24, 26 and 27 are allowed.

Claims 7-10, 12-14, 17 and 25 are objected to as being allowable if amended into independent form.

Rejected independent claims 1-6, 28-35 and 37 are amended.

Thus, claims 11, 18-24, 26 and 27 are allowed, and claims 1-10, 12-17, 25, and 28-37 stand rejected and remain pending for reconsideration, which is respectfully requested.

No new matter has been added in this Amendment. The foregoing rejections are hereby traversed.

**35 USC 102 AND 103 REJECTIONS**

In page 14, Response to Argument, of the Office Action, the Examiner asserts, “controlling from the packet-switched phone at least one of the packet-switched network phone call function with another packet-switched phone on the packet-switched network and/or the phone function” is interpreted as “controlling from the packet-switched phone at least one of the phone function” by the Examiner. Herein, applicant should understand that “**or the phone function**” is not absolutely meant a **phone call** function (emphasis added herein).” In other words, the prior art, for example, Shima and Szlam, do not disclose or suggest anything about the claimed present invention’s, “**packet-switched phone controller**” controlling “**a packet-switched network phone call**” between **one packet-switched phone and another packet-switched phone**, and, therefore, to further emphasize the patentably distinguishing features of the claimed present invention in view of the Examiner’s comments, the rejected independent claims are 1-6, 28-35 and 37 are amended to recite,

1. (CURRENTLY AMENDED) A packet-switched network phone communication control method, comprising:
  - providing a packet-switched phone controller having a first packet-switched input/output interface;
  - providing a packet-switched phone having a second packet-switched input/output interface and directly communicably connectable via a packet-switched network with the packet-switched phone controller via the respective first and second packet-switched input/output interfaces;
  - sending from the packet-switched phone controller to the packet-switched phone a control command for **a packet-switched network phone call function** on said packet switched network ~~and/or~~ **and a packet-switched phone function control command**, and
  - controlling from the packet-switched ~~phone~~, ~~phone-at-least one of the packet-switched network phone call function with another packet-switched phone on the packet-switched network and/or~~ ~~and the packet-switched phone function~~, according to the call function control command ~~and/or~~ ~~and the packet-switched phone function control command~~ from the packet-switched phone controller (emphasis added).

In particular, in contrast to Shmia and Szlam, the rejected independent claims 1-6, 28-35 and 37 are amended to recite, “sending from the packet-switched phone controller to the packet-switched phone **a control command for a packet-switched network phone call function on**

**said packet switched network and/or and a packet-switched phone function control command**, and controlling from the packet-switched phone, ~~phone at least one of the packet-switched network phone call function with another packet-switched phone on the packet-switched network and/or and the packet-switched phone function~~, according to the call function control command ~~and/or and the packet-switched phone function control command~~ from the packet-switched phone controller.”

Both Shima and Szlam, either alone or as combined, as also discussed in the previous Amendment of April 12, 2004, do not disclose or suggest the claimed present invention’s **direct control of a packet-switched phone** regarding “a **packet-switched network phone call function**” as well as “a **packet-switched phone function**” control of the packet-switched phone.

In the claimed present invention, “a **packet-switched phone function**” can have a meaning of, for example, a display indicating that a packet-switched phone call is received, or a display of a historical list of incoming packet-switched phone calls. See, for example, FIGS. 2, 8 and pages 50-53, of the present specification. See, for example, FIGS. 6 and 10, and dependent claims 7, 8, 12 and 13, which recite some specific examples of packet-switched phone functions, “said phone controller of each packet-switched phone further generates a control command that reports a state of the packet-switched network multimedia phone call function with said other packet-switched phone on said packet switched network, and sends said packet-switched network multimedia phone call function state control command to said packet-switched phone controller” (e.g., dependent claim 7).

In contrast to Shima and Szlam, the claimed present invention provides, “a **packet-switched phone controller** that is directly communicably connectable on a packet-switched network with a packet-switched phone, via respective packet-switched input/output interfaces” (e.g., claim 3). More particularly, the claimed present invention’s **packet-switched network phone** and **packet-switched phone controller** operate based upon control commands exchanged between the packet-switched network phone controller and the packet-switched phone (see, FIGS. 1, 2 and 6 of the present Application). Therefore, in contrast to the prior art, the claimed present invention’s “**packet-switched phone controller**” controls “a **packet-switched network phone call**” between **one packet-switched phone and another packet-switched phone**. More particularly, in contrast to Shima and Szlam, the present invention is directed to providing a packet-switched network phone, and providing a packet-switch network phone controller that via a direct communication controls a packet-switched network phone call communication of the packet-switched network phone as well as controls functions of the

packet-switched network phone.

In view of the claim amendments and the remarks, withdrawal of the rejections of claims 1-10, 12-17, 25, and 28-37 and allowance of these claims, is respectfully requested.

**CONCLUSION**

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,  
STAAS & HALSEY LLP

Date: September 27, 2004

By:   
Mehdi Sheikerz  
Registration No. 41,307

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501